

**LOUISBURG CITY COUNCIL
REGULAR MEETING
MAY 4, 2020
6:30 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. CONSENT AGENDA
 - A. Adopt Agenda
 - B. Approval of Minutes of the Regular Meeting April 20, 2020 and Special Meeting April 22, 2020
 - C. Approval of the Bills
4. RECOGNITION OF SCHEDULED VISITOR
5. PUBLIC COMMENTS: For the time being public comments are accommodated by providing written comments by a dedicated time prior to the meeting and will be read aloud by a member of City staff during this scheduled time.
6. DEPARTMENT REPORTS
7. CITY ATTORNEY'S REPORT
8. MAYOR'S REPORT
9. ADMINISTRATOR'S REPORT
 - A. Work Site Utility Vehicle or Utility Task Vehicle, & Golf Carts
 - B. Governing Body Compensation
 - C. New Curb on Aquatic Dr. and Amity K/68
 - D. New Natural Gas Customers
 - E. General Fund Revenue Presentation
10. COUNCIL/COMMISSION REPORTS
11. A DJOURNMENT

**CITY OF LOUISBURG, KANSAS
MINUTES OF REGULAR MEETING
APRIL 20, 2020**

The Council of the City of Louisburg, Kansas met at 6:30 p.m. in regular session via Zoom video conferencing. Mayor Marty Southard presiding.

Councilmembers: Steve Town, Kalee Smith, Sandy Harris, Donna Cook, Thorvald McKiernan

City Administrator: Nathan Law

City Clerk: Traci Storey

City Attorney: Kelly Stohs

Police Chief: Tim Bauer

Fire Chief: Gerald Rittinghouse

Communications Coordinator: Jean Carder

Public Works Supervisor: Craig Hufferd

Press:

Visitors:

APPROVAL OF CONSENT AGENDA

The Louisburg City Council was held by a remote meeting tonight that took place over Zoom, a video and phone conferencing platform. This was a move made necessary by the coronavirus pandemic and allowed under the state's Open Meeting Act.

Councilmember Sandy Harris moved, seconded by Councilmember Kalee Smith motion carried 5-0, approve the consent agenda to include adoption of the agenda, approval of the regular meeting minutes of April 6, 2020 and bills list.

VISITORS

None

PUBLIC COMMENTS

None

CITY ATTORNEY'S REPORT

None

MAYOR'S REPORT

Mayor Southard reported that Chamber Director Becky Bowes would attend a council meeting next month. Councilmember Donna Cook had requested this at an earlier meeting.

DEPARTMENT REPORTS

None

ADMINISTRATOR'S REPORT

Moratoria for “Stay Home” Orders: City Administrator Law presented four resolutions to consider as part of local effort to help control aspects of the Code of the City of Louisburg that allows or encourages environments that violate stay home orders or that may ease the burden on local commerce that has been affected by the same orders. Each resolution/moratorium is specific to some aspect of City Code. These Resolutions are extensions from the April 6, 2020 meeting that would extend the stay home orders until May 4, 2020.

Resolution 4-20-20A – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all solicitor, canvassers, peddler’s permits as defined in Chapter V Business Regulations, Article 1 of the Code of the City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmembers had discussion. Councilmember Steve Town moved, seconded by Councilmember Sandy Harris and carried 5-0, to adopt Resolution 4-20-20A.

Resolution 4-20-20B – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the restrictions of temporary sign regulations as they pertain to commercial businesses, regulations which are incorporated in Chapter XVI Zoning and Planning, Article 3 of the Code of the City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmember Thorvald McKiernan moved, seconded by Councilmember Donna Cook. Councilmember Harris asked if this included feather signs. Administrator Law said yes. Motion carried 5-0, to adopt Resolution 4-20-20B.

Resolution 4-20-20C – A Resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all new businesses and licenses as defined in Chapter III Beverages, Articles 1 through 7 of the Code of The City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all such orders have been lifted. Councilmember Sandy Harris moved, seconded by Councilmember Steve Town and carried 5-0, to adopt Resolution 4-20-20C.

Resolution 4-20-20D – A resolution of the City of Louisburg, Kansas declaring a temporary moratorium on the processing and approval of all new special event permits as defined in Chapter XII Public Property, Article 4 of the Code of the City of Louisburg, Kansas, to further the efforts of all “Stay Home” orders issued by federal, state or local authority, until such time as all orders have been lifted. Councilmember Harris asked about the motorcycle ride at Timbercreek. If something was previously approved, it will fall under the orders of “Stay Home”. Councilmember Kalee Smith moved, seconded by Councilmember Steve Town and carried 5-0, to adopt Resolution 4-20-20D.

COUNCIL REPORTS

Councilmember Smith: Councilmember Kalee Smith asked if we have resolved the UTV issue and be able to get permits to those that want them. Smith would like to see the City get a draft ordinance for consideration by the next meeting. Councilmember Cook would also like to get this resolved soon. Smith said we could put limitations on the rules like Paola does. If Council would like to see a code amendment option, Administrator Law said he can bring that back to next meeting for discussion. Councilmember Smith doesn't want to see this drag on all summer. This is the time people want to use them. Councilmembers Cook and McKiernan agreed. Administrator Law said Council can discuss what they would like to see. Chief Bauer has already talked to Paola and Osawatomie regarding this. Smith would like similar to Paola to allow and require:

1. Permitted and not to exceed 45 mph
2. Valid driver's license
3. Insurance on the vehicle
4. Pay a \$150 fee that the can be renewed for \$25

Councilmember McKiernan would also like to have something that shows they have a permit. It could be a license plate or something else. Councilmember Smith

asked about golf carts as well. Administrator Law said changes would need to be spelled out in the details of the ordinance. Councilmember Cook asked about lawn mowers going to get gas. Mr. Law said people should use discretion. Councilmember Harris would like to see the ordinance at the next meeting. Law said he would try and have that drafted.

Councilmember Cook: Councilmember Donna Cook asked about the feral cat issue. Administrator Law said we are still in a holding pattern. Many state agencies are not working including the agency that might provide assistance to this issue. Staff has reached out to a number of private animal trapping companies and have not received any interest, but is waiting for a return call from a personal contact of Chief Bauer. The remaining option is still taking the cats to the vet office as is currently the process.

Cook asked when the stay-at-home limits are off do we have something in place by the Chief of Police. People are going to go crazy with this is all done. Administrator Law asked what she meant by going crazy. Councilmember Cook said we need to make sure people use common sense. Administrator Law said we will enforce the orders still in place or pare back accordingly.

Councilmember Cook asked about the mud at Prairie Crossings. Administrator Law said it is still being worked on.

Councilmember Harris: Councilmember Harris wanted to thank the Public Works for the work on the dam at the City Lake and resurfacing of the streets. Harris asked why Danford Drive was resurfaced before Shoreline Drive. Mr. Law replied after reviewing all streets, Danford was deemed to need more work. Councilmember Harris said it looked great. He also asked if the lake would be treated soon for algae. Mr. Law said work would begin shortly.

Harris asked if the training in Manhattan for the League of Kansas this weekend was canceled. Mr. Law said yes it will be rescheduled and a date will be available soon.

Councilmember McKiernan: Councilmember Thorvald McKiernan asked about the updates regarding the building codes. Administrator Law said IBTS working on it and was going to update him today but he had not heard from them by the end of the day.

McKiernan asked about grad corrections on N. Metcalf Road. G-B Construction is intending to get started soon and utilize dirt being excavated from Lewis-Young Park for the new trail.

McKiernan said the crack and seal work looks hideous and is pulling back by his house. Administrator Law said Staff has had a conversation with the contractor after that communication, work since has been improved, and will look again at S. 11th to discuss your concern with the company. McKiernan said it also leaves footprints when you walk on it. Councilmember Smith said N. 3rd is also heavily crack sealed as well. McKiernan would like to see a list of maps of the streets that were done. Law said he would send that out.

McKiernan would also like a list and map of what culverts and ditches have been worked on so far this season. Law will also send that.

McKiernan said two lights, near Fox Hall and the bank, on Broadway are still out. Administrator Law said we have reached out to the electrician that installed and has the warranty on the lights, and are waiting on them to fix them.

McKiernan said he hasn't seen anything on the bills list for Evergy. Law said it may be under KCPL. Law will check on this bills list to see if it is on there.

McKiernan said he would like to see the stipend be eliminated for all Councilmembers, and make these positions not paid. At this time we are paid a miniscule amount each meeting. City Attorney Stohs said there may be a statute that addresses pay, but is certainly something that can be changed in the code book. She will look into and return this item to the Council.

McKiernan would like, even if under quarantine, to meet at City Hall for the next meeting. The Council is allowed to meet since we are a municipality and he has someone that could set up Facebook Live event with multiple cameras to stream the meeting. Mayor Southard said we need to follow the rules like everyone else is asked to follow. City Attorney Stohs said the stay-at-home orders still require social distancing, because Kansas Open Meetings Act allows for remote attendance, it is preferred and recommended by city attorneys across the state to attend remotely. McKiernan said others would still be able to attend remotely if Council is being broadcast. Councilmember Smith said by the next meeting hopefully the order will expire. Councilmember Harris would like to see what the options are for multiple cameras and allow on Facebook. When asked if there was a cost for this person to set up the microphones and tape the meeting

McKiernan said yes, but was not wanting to say the price in case others would like to do it as well. Councilmember Town said only 10 people are allowed for a gathering and we currently have 8 required and with two to operate the cameras we would be over the limit to be able to include department heads. That would not allow for other staff or the public. Stohs said she would attend remotely if the orders are still in effect. When asked again on the price McKiernan said \$800 would be the cost if there was no bid process. Councilmember Harris asked is that for just one meeting. McKiernan said yes that is for one meeting. Municipalities are exempt from the 10-person limit, McKiernan said. Stohs said this is all just temporary, using Zoom is free and many other cities are using Zoom as well. Mayor Southard asked that we follow the recommended limit of 10 persons per gathering as requested by the Governor's office.

McKiernan would like to see the stay home orders end. He would like a letter sent to Governor Kelly stating Council would like to see the stay home orders end May 3. Councilmember Harris said he thinks that would be helpful for her to hear. McKiernan made a motion to direct staff to send a letter for the stay home orders to end May 3. Mayor Southard said staff does not want to get into politics. McKiernan would like to send this from Governing Body. He would like Administrator Law to draft the letter and have a special meeting to approve the letter. Councilmember Smith asked Mayor Southard if he was ok with the letter. Southard said he also hopes that this is over by then, but isn't sure a letter is really going to help. It seems silly, but he is not opposed, he said, it is just not the best thing to do as a Council. Cook asked if Law could draft and email the letter for council to approve. Harris asked if Law was even willing to write the letter. Staff would like to stay out of writing a letter. After discussion McKiernan said he would write the letter. Town said he is sure the Governor would also like this to be over with as well. City Attorney Stohs said this sounds like a politically charged issue. She recommends listing names since not all the Council may agree with sending the letter. McKiernan said this isn't any different than any other action the Council takes. Councilmember Smith seconded the motion. Councilmember Cook asked if the letter could say the Governing Body of Louisburg would like to see the moratorium finished on May 3 or will this go into more political aspects. McKiernan said it would not contain anything political. Councilmember Town said he would like to let Councilmembers decide if they want to sign or not. Councilmember Smith asked if it would be better to have the letter written and then vote on it and asked if we should have a special meeting after the letter is drafted. Mayor Southard asked if this is worthy of a special meeting. Mayor Southard just reminded the Council that this is a virus. Councilmember Smith said it could linger into winter. Councilmember Cook asked if each member could

write their own letter. City Attorney Stohs said that is a good option and would alleviate any disagreements in the letter's content. This is a much better alternative. Councilmember Town agrees with Cook. Councilmember Harris asked if letters were written individually if they could identify themselves as a Councilmember. Stohs said yes. Councilmember McKiernan withdraws his motion. Councilmember McKiernan would like a special meeting Wednesday, April 22, 2020, at 6:30 p.m. to discuss the letter he will write. Mayor Southard said he would call the special meeting. This meeting will also be a Zoom meeting.

ADJOURNMENT

At 7:35 p.m. Councilmember Kalee Smith moved, seconded by Councilmember Sandy Harris and carried 5-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk

**CITY OF LOUISBURG, KANSAS
MINUTES OF SPECIAL MEETING
APRIL 22, 2020**

The Council of the City of Louisburg, Kansas met at 6:30 p.m. in special session via Zoom video conferencing. Mayor Marty Southard presiding.

Council Members: Steve Town, Kalee Smith, Sandy Harris, Donna Cook, Thorvald McKiearnan
City Administrator: Nathan Law
City Clerk: Traci Storey
City Attorney: Kelly Stohs
Police Chief
Fire Chief
Communications Coordinator: Jean Carder
Public Works Supervisor
Press
Visitors

The Louisburg City Council special meeting was held via Zoom.

Mayor Marty Southard said Councilmember Thorvald McKiearnan had written a letter to Governor Kelly on behalf of Council to encourage an end to the “stay home” orders.

Mayor Southard said he had an issue with the letter being signed only by him. He believes it should have all the signatures of the Council. He also struggles with the overall point of the letter as this is a virus that is affecting the entire nation.

Councilmember Donna Cook asked if this letter could be legally done. City Attorney Kelly Stohs said yes. Cook finds the letter is too long and drawn out. Some of the things in the letter regarding housing don’t have anything to do with this and she said in her opinion the Governor won’t see this letter anyway. Councilmember Harris thinks the letter should be a unanimous vote to be sent. Councilmembers had discussion.

City Attorney Stohs said this is a political issue and therefore the Council might want to consider not adding a councilmember's name who is not in favor of the letter out of respect to that person. Councilmember Harris wants the letter to be unanimous vote.

Councilmember Smith thought the letter was well written and doesn't think it does any harm to send it. Councilmember Town asked if it was an option to use City letterhead or plain paper. Stohs said if you write your own letter then it would be plain, but if it came from Council it could be on letterhead. Councilmember Harris suggested changing the first sentence since Mayor Southard didn't write the letter. Councilmember McKiernan said having only the Mayor's signature is like all other action the council takes. He does not believe it is political and believes the letter has more clout if it came from Council.

Mayor Southard said everyone wants to be back to normal, but as a virus can't be controlled. Attorney Stohs said those that vote yes could sign.

Councilmember McKiernan made a motion to approve the change to the letter's intro as previously discussed, have it signed by the Mayor and be approved by the majority. Councilmember Smith seconded. Councilmembers had discussion. Motion carried 4-1 (Town voting no) to send the letter signed by the Mayor on behalf of the Council. Town in voting no said that with no disrespect to the other councilmembers he did not think the letter was necessary and therefore voted no.

At 6:55 p.m. Councilmember Kalee Smith moved, seconded by Councilmember Thorvald McKiernan and carried 5-0, to adjourn the meeting.

Approved:

Marty Southard, Mayor

Attest:

Traci Storey, City Clerk

BILLS TO BE APPROVED 05/04/2020

VENDOR	AMOUNT	DEPARTMENT
BLUE CROSS/BLUE SHIELD	\$22,172.57	INSURANCE - ALL
BLUE VALLEY TRACTOR	\$888.43	EQUIPMENT - PWD
BP	\$2,257.13	FUEL - ALL
CORE & MAIN	\$2,994.76	EQUIPMENT - PWD
CROSSLAND HEAVY CONTRACTORS	\$996,315.17	WWTP PROJECT - SEWER
DANIELS BRADY	\$1,500.00	BOAT- PWD
DESIGN 4 SPORTS	\$34.00	SERVICES - PWD
ELLIOTT INSURANCE INC	\$515.00	INSURANCE - PWD
EVERGY	\$18,808.00	ELECTRICITY MAR/APR - ALL
FAMILY CENTER OF PAOLA	\$487.92	SUPPLIES - PWD, PUA
GWORKS	\$115.07	SUPPLIES - ADMIN
HAWKINS, INC.	\$1,260.00	COPPER SULFATE FOR LAKE
INDUSTRIAL SALES CO	\$406.30	PIPE AND FITTINGS - GAS
JJ CLEANING	\$900.00	CLEANING - ADMIN, POLICE
JOHNSON COUNTY TOPSOIL	\$220.00	TOP SOIL - PWD
JOHNSON COUNTY WASTEWATER	\$1,389.00	LAGOON TESTING - SEWER
KANSAS CITY FREIGHTLINER	\$473.60	MAINTENANCE - PWD
KANSAS DEPARTMENT OF REVENUE	\$1,411.00	WATER PROTECTION FEE
KANSAS DEPT HEALTH & ENVIRONMENT	\$120.00	WW PERMITS - SEWER
KANSAS MAYORS ASSOCIATION	\$50.00	DUES - ADMIN
LAMP, RYNERSON & ASSOC.	\$27,600.00	WWTP CONSTRUCTION ENGINEERING
LANDS END	\$6.24	SUPPLIES - ADMIN
LOUISBURG FORD	\$5,621.10	SERVICES, REPAIRS - PWD
LOUISBURG NURSERY	\$1,854.00	DOWNTOWN BASKETS
MDC PUA	\$81,086.95	WATER
MID-AMERICA REGIONAL COUNCIL	\$1,169.00	DUES AND TRAINING
MO-KAN DIAL, INC.	\$1,425.00	TELEPHONE - ALL
PHILLIPS 66 CARD	\$1,205.26	FUEL - POLICE
POLSINELLI PC	\$1,458.00	CITY ATTORNEY SERVICES
PRAXAIR DIST. INC.	\$46.09	SUPPLIES - GAS
ROMANS OUTDOOR POWER	\$125.92	MOWER MAINTENANCE - PWD
SAMS CLUB MC/SYNCB	\$925.97	TRAINING, EQUIPMENT, SUPPLIES
SPLASHTACULAR, INC.	\$50,732.50	SLIDE PAINT/RECOATING - POOL
SUMNER ONE	\$62.00	COPY SERVICES - ADMIN
TDM EXCAVATING	\$13,995.00	LAKE DAM PROJECT
VERIZON	\$912.17	CELLULAR - ALL
VISA	\$7,344.49	EQUIPMENT, SUPPLIES, TRAINING - ALL
VISION SERVICE PLAN	\$1,911.30	INSURANCE - ALL
	\$1,249,798.94	

Memo

To: Louisburg Governing Body

From: Nathan Law

Date: May 1, 2020

Re: Work-Site Utility Vehicle or Utility Task Vehicle – Code Amendment

Background: Staff was asked to look into options to amend City Code to allow for off-highway vehicles. Staff is presenting the following information to help clarify various types of vehicles, safety considerations paid by other agencies, and for discussing draft ordinance presented with this memorandum.

Attached with this memorandum is a list of various types of off-highway, unregistered vehicles, to better differentiate what a draft ordinance and this discussion will include.

Safety considerations discussed by staff include, generally, that these vehicles were manufactured with the intent of off-road use. Because of this, they do not follow National Highway Traffic Safety Administration requirements and regulations for safety restraints and other safety considerations. Off-road vehicles do not come equipped with roadway tires, and when combining pressure and design of these tires with a high center of gravity, these vehicles pose additional risk to the safety of an individual on roadways.

A draft ordinance is attached with this memorandum. It includes considerations for work-site utility vehicles, utility task vehicles, and golf carts.

Financial: None.

Legal: None.

Recommendation: Discuss and take action as desired.

All-Terrain Vehicle (ATV)



8-1402a. "All-terrain vehicle" means any motorized non-highway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, and traveling on three or more non-highway tires. (Per SB 73 2015)

Work-Site Utility Vehicle (WSUV)



8-1493. "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more non-highway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational non-highway vehicle. (Per SB 73 2015)

Micro Utility Truck (MUT)



8-1494. "Micro utility truck" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle.

Low Speed Vehicle (LSV)



“Low-speed vehicle” means any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured in compliance with the national highway and traffic safety administration standards for low-speed vehicles in 49 C.F.R. 571.500. (Typically does not include golf carts)

Golf Cart



“Golf cart” means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES OR UTILITY TASK VEHICLES, OR GOLF CARTS ON THE STREETS WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF LOUISBURG; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; BY ADDING CHAPTER XIV, ARTICLE 5a, OF THE CODE OF THE CITY OF LOUISBURG; AND REPEALING PORTIONS OF SUBSECTIONS IN CHAPTER XIV, ARTICLE 5.

WHEREAS, the City of Louisburg, Kansas has adopted the current version of the “Standard Traffic Ordinance for Kansas Cities” as published by the League of Kansas Municipalities; and

WHEREAS, said Standard Traffic Ordinance prohibits the operation of work-site utility vehicles, utility task vehicles and golf carts on city streets; and

WHEREAS, the City of Louisburg wishes to specifically allow the operation of work-site utility vehicles, utility task vehicles and golf carts on city streets under certain conditions;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS:

Section 1. Article 5a of Chapter XIV of the Code of the City of Louisburg is hereby added as follows:

ARTICLE 5a. SPECIAL PURPOSE VEHICLES

14-5a01. Definitions.

As used in this ordinance, the following words and phrases shall have the meanings respectively ascribed to them in this section, except when the context requires otherwise.

(a) “Work-Site Utility Vehicle or Utility Task Vehicle” means any vehicle designed for off-highway use which has: a width no less than 48 inches; an overall length, including the bumper, of not more than 160 inches; four or more wheels; low-pressure tires; side by side seating; a steering wheel; non-straddle seating; manufacturer provided foot controls for throttle and braking, excluding any modifications for use by handicapped persons; occupant restraints; and, rollover protective structures, excluding lower speed work-site vehicles which may have been manufactured without such rollover protection.

(b) “Golf Cart” means a motor vehicle that has not less than three (3) wheels in contact with the ground, an unladen weight of not more than one thousand eight hundred (1,800) pounds, is designed to be operated at not more than twenty-five (25) miles per hour and is designed to carry not more than six persons, including the driver.

14-5a02. Operation of a WSUV or UTV in City Limits.

(a) It shall be unlawful for any person to operate, or for the owner thereof knowingly to permit the operation, any WSUV or UTV, upon any street or alley within the City limits of Louisburg, Kansas or upon any City owned or leased property within or without the City limits of the City of Louisburg, Kansas, except as provided for in this article.

(b) A WSUV or UTV, may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city as provided:

(1) No WSUV or UTV may be operated upon Kansas Highway-68/Amity Street or any public highway, street, road and alley with a posted speed limit in excess of 35 miles per hour, however, that the provisions of this subsection shall not prohibit a WSUV or UTV from crossing any public highway, street, road or alley unless otherwise prohibited by state law.

(2) No WSUV or UTV shall be operated upon any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights and reflectors as required for motor vehicles under Article 17 of Chapter 8 of the Kansas Statutes Annotated (K.S.A.), and amendments thereto.

(c) In addition to any equipment required by 49 CFR 571.500, or by this ordinance, a WSUV or UTV operating upon any public highway, street, road or alley shall be equipped with at least one rear view mirror and one side mirror.

(d) A WSUV or UTV capable of speeds in excess of 25 mph is defined by the State of Kansas as a Motor Vehicle and is required to meet equipment and operating standards of Article 17 of Chapter 8 of the Kansas Statutes Annotated and amendments thereto.

(e) All WSUV or UTV shall comply with noise and muffler requirements as set forth in K.S.A. 8-1739, and amendments thereto.

(f) Every person operating a WSUV or UTV on the public highways, streets, roads and alleys of the City shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

(g) No person shall operate a WSUV or UTV on any public highway, street, road or alley within the corporate limits of the City unless such person has a valid, unrestricted driver's license. Violation of this Subsection is punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

(h) Every owner of a WSUV or UTV, before operating said vehicle on the public highways, streets, roads or alleys within the corporate limits of the City of Louisburg, shall register said vehicle with the Louisburg Police Department and obtain a license plate. The license plate issued by the City shall be valid through December 31 for the year for which it is issued and be permanently affixed to the vehicle's left-rear quarter panel.

(1) Before the City will issue any annual registration license for a WSUV or UTV, the owner of said vehicle must provide:

(A) Current valid, unrestricted driver's license.

(B) Proof of liability insurance specifically listing the WSUV or UTV, in accordance with the Kansas Automobile Injury Reparations Act.

(C) Payment of the initial registration fee of two hundred dollars (\$200) or the annual license renewal fee of seventy-five dollars (\$75).

(i) It shall be illegal for any person to operate a WSUV or UTV on any public highway, street, road or alley with more passengers than the WSUV or UTV is designed to seat, and all persons are required to wear seatbelts.

(j) Unless specifically provided herein, a violation of this Section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201 of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

14-5a03. Operation of Golf Carts.

(a) Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the City; provided, however, that no golf cart may be operated upon Kansas Highway-68/Amity Street or any public highway, street, road and alley with a posted speed limit in excess of twenty-five (25) miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this Subsection shall not prohibit a golf cart from crossing a federal or state highway with a posted speed limit greater than twenty-five (25) miles per hour.

(b) No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a golf cart on the public highways, streets, roads and alleys of the City shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

(d) No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the City unless such person has a valid, unrestricted driver's license. Violation of this Subsection is punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

(e) It shall be illegal for any person to operate a golf cart on any public highway, street, road or alley with more passengers than the golf cart is designed to seat.

(f) Unless specifically provided herein, a violation of this Section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being

convicted of such violation, the penalty imposed shall be in accordance with Section 201 of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

(g) It shall be illegal to operate a golf cart vehicle on any public highway, street, road or alley within the corporate limits of the City unless such vehicle displays a slow-moving vehicle emblem on the rear of the vehicle.

(1) For the purpose of this Section, “slow-moving vehicle emblem” has the same meaning as contained in K.S.A. § 8-1717, and amendments thereto.

(2) The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. § 8-1717, and amendments thereto.

Section 2. Existing Subsections Repealed. Any portion of other subsections of the Code of the City of Louisburg that is in direct conflict with the allowances stated herein shall be repealed, but shall not invalidate the remaining portions of those other subsections.

Section 3. Effective Date. This ordinance shall take effect and be in force upon publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Louisburg, Kansas, on May 4, 2020.

APPROVED AND SIGNED by the Mayor.

MARTY SOUTHARD, Mayor

ATTEST:

TRACI STOREY, City Clerk

Memo

To: Louisburg Governing Body
From: Nathan Law
Date: May 1, 2020
Re: Governing Body Compensation

Background: Staff was directed at the last meeting to provide an ordinance to amend the section of City Code to remove compensation for Governing Body. Attached with this memorandum is an ordinance for Council consideration.

Financial: None.

Legal: None.

Recommendation: Discuss and take action as desired.

(Published in the _____ on _____, 2020)

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPENSATION OF GOVERNING BODY MEMBERS; BY AMENDING CHAPTER I, ARTICLE 2, OF THE CODE OF THE CITY OF LOUISBURG, AND REPEALING THE EXISTING SECTION THEREIN.

WHEREAS, the Governing Body of the City of Louisburg finds it suitable to receive no compensation for duties of their elected position;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS:

Section 1. Section 1-209 of Article 2 of Chapter I of the Code of the City of Louisburg is hereby amended to read as follows:

1-209. Compensation.

Members of the Governing Body shall receive no compensation for duties of their elected position.

Section 2. Existing Article and Section Repealed. Section 1-209, of Article 2 of Chapter I of the Code of the City of Louisburg as adopted prior to the passage of this ordinance is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force upon publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Louisburg, Kansas, on May 4, 2020.

APPROVED AND SIGNED by the Mayor.

MARTY SOUTHARD, Mayor

ATTEST:

TRACI STOREY, City Clerk

Extending Curb

To: Mayor and City Council
From: Craig Hufferd, Public Works Supervisor
Date: May 4, 2020
Re: New Curb on Aquatic Dr and Amity/K68

The City was approached by the school to see if there was anything we could do to help stop cars from cutting the corner when exiting off Amity/K68 south onto Aquatic Drive. A good solution would be to extend the existing curbs to Amity/K68. This would help the safety of the people trying to cross the highway as well. Other work would include cutting out and raising about 30ft of sidewalk. Some regrading on the west side of Aquatic Drive would have to be done as well.

Before further work is done the City was looking for direction or recommendations on this improvement. If approved, the next step would be to get cost estimates, coordinate with KDOT and come back to City Council for final approval.



New Natural Gas Customers

To: Mayor and City Council
From: Craig Hufferd, Public Works Supervisor
Date: May 4, 2020
Re: Out of City Limit Customers

The City has two potential natural gas customers that are requesting service that live outside city limits. Both properties have a natural gas main very near or on their property. On property 1 there is a gas main at the northeast corner of the property that you can see on the map below. On property 2 there is a gas main that runs on the east side of the property that you can see on the second map below. It is requested that Council allow these two properties to attach to our natural gas system.

Property 1.



Property 2.



Memo

To: Louisburg Governing Body
From: Nathan Law
Date: May 1, 2020
Re: General Fund Revenue Presentation

Background: Attached with this memorandum is a presentation staff plans to walk through with Council regarding General Fund revenue sources and options.

Financial: None.

Legal: None.

Recommendation: Receive and file the presentation.

Please check calendars for the next two weeks for budget workshop availability. Please send available dates to the City Clerk and staff will find best option for meeting to discuss draft 2021 budget.

Budget Revenue

An Overview of Funding Sources for the General Fund

Agenda

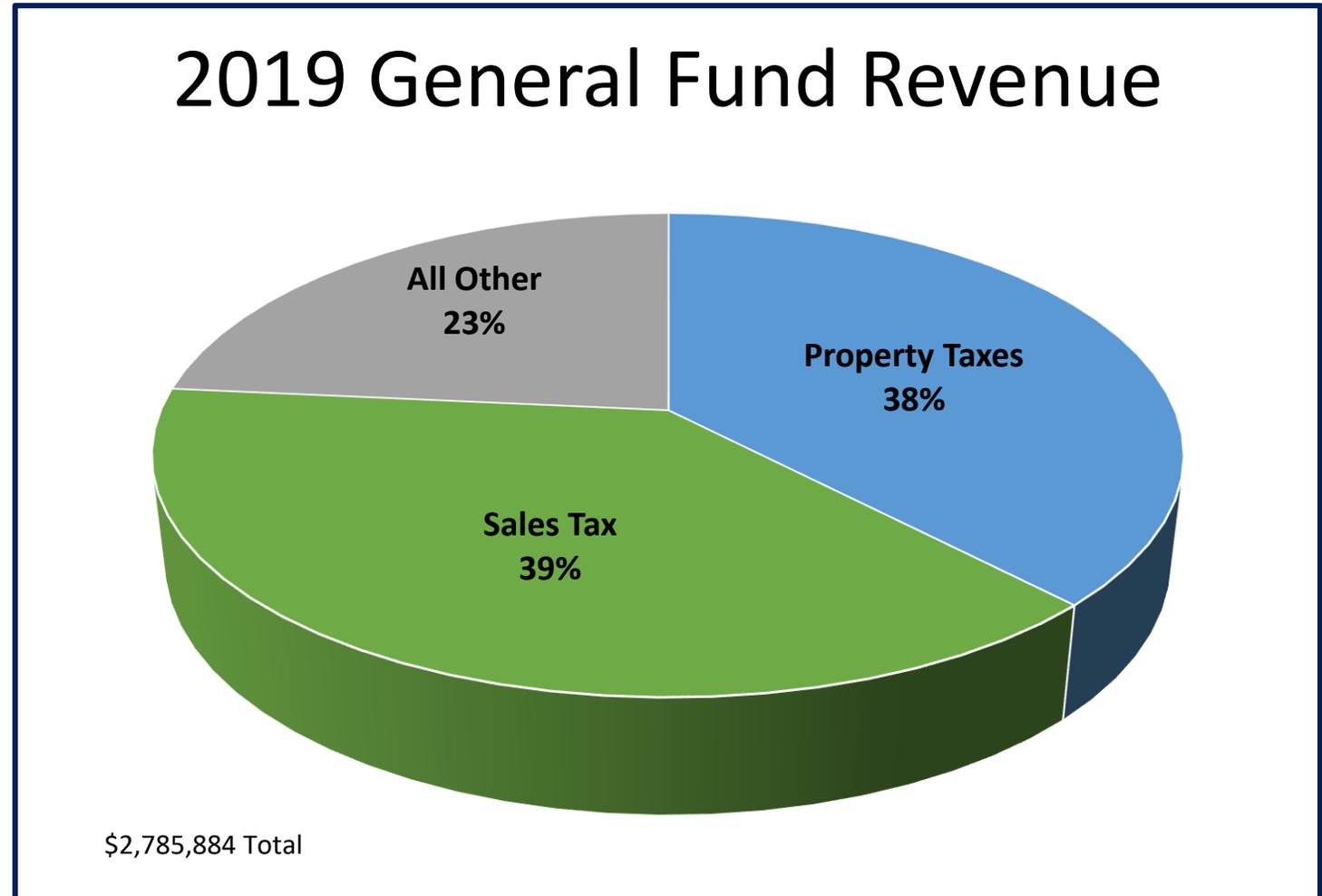
- Budget Timeline
- Presentation of Revenue Sources
- Future Revenue Options
- Budget Principles
- 2021 Budget Guidance
- Takeaways

2021 Budget Timeline

- May Budget Workshop
- July Authorize Publication of Budget
- Mid-July Proposed Budget Published
- August Public Hearing – Final Adoption

Revenue Sources for General Fund

- Fines
- Fees for Services
- Franchise Fees
- License/Permit Fees
- Property Tax
- Sales Tax
- Vehicle Tax
- Miscellaneous



General Fund Revenue Control

Revenue that Can be changed by City

- Fines – these can be set within statutory limitations
- Fees for Services – these can adjust only to cover cost of providing the service; currently only fire service and reimbursed by contract
- Franchise Fees – may be negotiated, but typically a set % of gross revenue
- License/Permit Fees – these can adjust, but should also cover cost of processing license/permit
- Property Tax – these can change, but currently limited on how they can be changed

Revenue that Cannot be changed by City

- Sales Tax – cannot change spending habits or number of retail sales locations; have 0.5% of sales tax that can be increased by election
- Vehicle Tax – this is a function of appraisals and ownership
- Miscellaneous – cannot control number of park rentals, interest earned, equipment sales, dividends/settlements or grants and donations

2019 General Fund Revenue

• Fines	\$87,886	3.15%
• Fees for Services	\$55,366	1.99%
• Franchise Fees	\$68,383	2.46%
• License/Permit Fees	\$29,260	1.05%
• Property Tax	\$1,054,308	37.84%
• Sales Tax	\$1,076,886	38.66%
• Vehicle Tax	\$137,021	4.92%
• Miscellaneous	\$276,774	9.93%
• Total	\$2,785,884	100.00%

General Fund Revenue Options

- Fine Schedule adjusted in December 2019, effective in 2020
- Rural Fire Contract may be negotiated in the near term, but will likely have terms similar to those in other local department contracts
- Franchise fees may be negotiated when a franchise agreement comes to term
- License/permits are reviewed periodically for needed changes, currently discussing permit fees for building codes as part of update process
- Miscellaneous revenues mentioned previously as difficult to adjust as they are based on outside considerations, not necessarily on a fee schedule
- Vehicle tax is outside of local control and is based on appraisal process

General Fund Revenue Options Continued

- Sales tax in total is at 9.5% in Louisburg, any increase will likely meet ballot resistance
- Property tax has multiple aspects, including: mill rate, based on valuation and adopted budget; assessed valuation, which can go up or down based on appraisals; limits on changes allowed by local authority
 - Mill rate – this number is created by the lack of revenue to pay for budgeted expenditures. It is based on assessed valuation of all property within the city. It changes when either of the other two factors changes, but itself can be used as a target for budget purposes (i.e. “keep the mill the same”).
 - Assessed valuation – this is set through the appraisal process and is completely outside the control of the city. Assessed valuation is estimated in May of the current year, to be used for budgeting, but is set as of November for the following year property tax levy and return revenue to the city.
 - Limits on local authority – next slide

General Fund Revenue Options Continued

- Tax Lid – Years ago the legislature enacted a series of legislation that:
 - Restricted the ability of cities to increase property tax (mills) beyond a consumer price index (CPI) increase
 - Averaged CPI over a number of years to soften single year impact up or down
 - Allowed CPI to be captured without additional action
 - Unless there is a public vote for that increase, limited ability to increase property tax revenue to the city
 - Allowed for a series of exemptions to the property tax lid
- Truth in Taxation – An initiative in the current legislative session to increase tax transparency.
 - Limit/remove ability to capture increased tax revenue from one budget year to the next when property valuation increases during the same time (removes CPI of tax lid)
 - Removes most exemptions under the current tax lid
 - Requires city to notify every resident of proposed property tax increase by valuation; notification to be made by a direct mailed letter to every property owner.

Property Tax Calculator

- Appraised Value
- Assessment Rate
- Assessed Value
- Property Tax Needed
- Mill Rate

$$\begin{array}{rcccccc} \text{Home Value} & & \text{Rate} & & \text{Assessed Value} & & \text{Mill Rate} & & \text{Taxes} \\ \$200,000 & \times & 11.5\% & = & \$23,000 & \times & 0.034448 & = & \$792.30 \end{array}$$

Budget Principles

In order to maintain a solid financial condition:

- Fund on-going operating expenditures with on-going revenue sources
- Maintain sufficient reserves to meet unknown circumstances and financial rating
- Estimate revenues using a conservative approach to avoid budget shortfalls during the fiscal year
- Maintain long-term approach

Budget Guidance To Date

Staff was provided with two directives for 2021 Budget:

- Keep General Fund expenditures the same from 2020 to 2021
- Look to offset the increase in property valuation on taxes paid
- Continue with Wastewater and Stormwater work

Takeaways

Staff hopes the following are the takeaways from this presentation:

- There are General Fund revenue sources that can be changed, and those that cannot
- Property tax is a much more stable revenue option than other taxes and revenues in the General Fund
- Future changes in tax law may very well continue to erode ability of local government to adequately fund services